

Resolution No.: 17-621
Introduced: November 13, 2012
Adopted: December 4, 2012

**COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND**

By: Council President at the Request of the County Executive

SUBJECT: Amendment to the FY13-18 Capital Improvements Program and Supplemental Appropriation #14-S13-CMCG-7 to the FY13 Capital Budget Montgomery County Government Department of Environmental Protection Watershed Restoration – Interagency (No. 809342), \$1,000,000

Background

1. Section 307 of the Montgomery County Charter provides that any supplemental appropriation shall be recommended by the County Executive, who shall specify the source of funds to finance it. The Council shall hold a public hearing on each proposed supplemental appropriation after at least one week's notice. A supplemental appropriation that would comply with, avail the County of, or put into effect a grant or a Federal, State or County law or regulation, or one that is approved after January 1 of any fiscal year, requires an affirmative vote of five Councilmembers. A supplemental appropriation for any other purpose that is approved before January 1 of any fiscal year requires an affirmative vote of six Councilmembers. The Council may, in a single action, approve more than one supplemental appropriation. The Executive may disapprove or reduce a supplemental appropriation, and the Council may reapprove the appropriation, as if it were an item in the annual budget.
2. Section 302 of the Montgomery County Charter provides that the Council may amend an approved capital improvements program at any time by an affirmative vote of no fewer than six members of the Council.
3. The County Executive recommends the following capital project appropriation increases:

<u>Project Name</u>	<u>Project Number</u>	<u>Cost Element</u>	<u>Amount</u>	<u>Source of Funds</u>
Watershed Restoration – Interagency	809342	Construction	\$1,000,000	State Aid
TOTAL			\$1,000,000	State Aid

4. This supplemental appropriation and amendment to the FY 13-18 CIP is needed in order to fully appropriate a grant from the Maryland Department of Natural Resources' Chesapeake & Atlantic Coastal Bays Trust Fund. State Aid in the amount of \$1,000,000 will be allocated to the County's stormwater management CIP project noted above in an effort to meet the provisions of the County's Municipal Separate Storm Sewer System (MS4) permit.
5. The County Executive recommends amendments to the FY13-18 Capital Improvements Program and supplemental appropriations in the amount of \$1,000,000 to the Watershed Restoration: Interagency (#809342) project, and specifies that the source of funds will be State Aid.
6. Notice of public hearing was given and a public hearing was held.

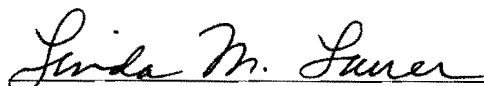
Action

The County Council for Montgomery County, Maryland, approves the following action:

The FY13-18 Capital Improvements Program of the Montgomery County Government is amended as reflected on the attached project description form and supplemental appropriation is approved as follows:

<u>Project Name</u>	<u>Project Number</u>	<u>Cost Element</u>	<u>Amount</u>	<u>Source of Funds</u>
Watershed Restoration – Interagency	809342	Construction	\$1,000,000	State Aid
TOTAL			\$1,000,000	State Aid

This is a correct copy of Council action.


Linda M. Lauer, Clerk of the Council

Watershed Restoration - Interagency -- No. 809342

Category
Subcategory
Administering Agency
Planning Area

Conservation of Natural Resources
Stormwater Management
Environmental Protection
Colesville-White Oak

Date Last Modified
Required Adequate Public Facility
Relocation Impact
Status

January 10, 2012
No
None.
On-going

EXPENDITURE SCHEDULE (\$000)

Cost Element	Total	Thru FY11	Est FY12	Total 6 Years	FY13	FY14	FY15	FY16	FY17	FY18	Beyond 6 Years
Planning, Design, and Supervision	3,438	2,466	192	780	60	60	310	230	60	60	0
Land	129	4	125	0	0	0	0	0	0	0	0
Site Improvements and Utilities	134	0	134	0	0	0	0	0	0	0	0
Construction	2,335	954	541	840	250	250	0	0	170	170	0
Other	2	1	1	0	0	0	0	0	0	0	0
Total	6,038	3,425	993	1,620	310	310	310	230	230	230	0

State Aid

FUNDING SCHEDULE (\$000) (FY13)

G.O. Bonds	527	527	0	0	0	0	0	0	0	0	0
Stormwater Management Waiver Fees	3,376	2,868	508	0	0	0	0	0	0	0	0
Water Quality Protection Bonds	2,105	0	485	1,620	310	310	310	230	230	230	0
Water Quality Protection Charge	30	30	0	0	0	0	0	0	0	0	0
Total	6,038	3,425	993	1,620	310	310	310	230	230	230	0

OPERATING BUDGET IMPACT (\$000)

Maintenance				50	0	0	5	10	15	20
Net Impact				50	0	0	5	10	15	20

DESCRIPTION

This project provides for the design and construction of stormwater management retrofits and stream restoration projects which manage stormwater runoff, enhance aquatic habitat and improve water quality in County streams. The projects are done under interagency agreements with the U.S. Army Corps of Engineers (USACE). The first two agreements, which were signed in 1992 and 1997, were limited to subwatersheds within the Anacostia Watershed. In FY04, the USACE expanded project eligibility to include all County subwatersheds within the Mid-Potomac watershed. The feasibility study and the design and construction of the projects selected in Montgomery County are managed by the U.S. Army Corps of Engineers with assistance from the Maryland Department of Environmental Protection and Maryland-National Capital Park and Planning Commission.

COST CHANGE

Project cost increase is due to the added program expenditures in FY17 and FY18.

JUSTIFICATION

This project will improve local stream water quality, protect stream conditions, and enhance wildlife and aquatic habitats in Sligo Creek, Northwest Branch, Paint Branch, and Little Paint Branch tributaries within the interjurisdictional Anacostia River Watershed. The project supports the goals of the Chesapeake Bay Initiatives, the Anacostia Watershed Restoration Agreement, and addresses the County's Municipal Separate Storm Sewer System (MS4) permit as detailed in the draft Montgomery County Coordinated Implementation Strategy (CCIS).

FISCAL NOTE

This project leverages Federal Aid with the Federal government paying for 75 percent of construction costs for projects designed under the Anacostia Phase I Feasibility Study, and 65 percent of construction costs for projects designed under the subsequent agreements. Program expenditures reflect County contributions to the U.S. Army Corps of Engineers for design/construction activities and in-kind services.

The partial State Aid appropriation is based on a letter of commitment the County received from the State of Maryland.

APPROPRIATION AND EXPENDITURE DATA

Date First Appropriation	FY93	(\$000)
First Cost Estimate		
Current Scope	FY13	6,038
Last FY's Cost Estimate		5,888
Appropriation Request	FY13	310
Appropriation Request Est.	FY14	310
Supplemental Appropriation Request		1,000
Transfer		0
Cumulative Appropriation		4,418
Expenditures / Encumbrances		3,671
Unencumbered Balance		747
Partial Closeout Thru	FY10	0
New Partial Closeout	FY11	0
Total Partial Closeout		0

COORDINATION

U.S. Army Corps of Engineers
Maryland-National Capital Park and Planning Commission
Department of Permitting Services
Department of Transportation
Maryland Department of the Environment
Facility Planning: SM (No. 809319)
Maryland Department of Natural Resources

MAP

